

REMARKS

The Office Action mailed April 24, 2007 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Election Requirement

Applicants gratefully acknowledge the examination of claims 66-109.

Specification

The specification has been amended in order to more accurately list the priority information.

Rejection(s) Under 35 U.S.C. § 102

Claims 67-72 and 78-109 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Rosenberg (U.S. pat. no. 6,211,861). Claims 67-109 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Shahoian et al. (U.S. pat. no. 6,184,868). Claims 67, 89, 100 and 105, from which the remaining claims variously depend, recite, *inter alia*: “a flexure having a plurality of flexible joints” (claim 67); “a mechanism including a flexure having at least a first flex joint and a second flex joint” (claim 89); “[the] movable actuator portion ... coupled to the housing by way of a flexure having at least one flex joint” (claim 100); and “a flexure mechanism coupling the actuator housing to the interface device by way of at least one flex joint enabling relative motion” (claim 105). These features are not disclosed in Rosenberg ('861) or Shahoian.

Shaft 75 of Rosenberg ('861) is not a flexure and does not have a flex joint in the manner described in the instant application, and as understood to mean by the common and accustomed usage of the term. Shaft 75 of Rosenberg ('861) is instead rigid and does not exhibit any bending, as would be expected of a flexure. The term flex, as used in the instant application and commonly understood, is defined to mean “To bend or be capable of bending.”¹ No such behavior is attributed to shaft 75 of Rosenberg ('861). Similarly, in Shahoian, elements 132a,

¹ Oxford English Dictionary, online edition, July 2007.

132b, 134a, 134b are part of a mechanical linkage that does not exhibit the type of bending or flex expected of the claimed arrangement.

It will be appreciated that, according to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102 only if each and every claim element is found, either expressly or inherently described, in a single prior art reference.² The aforementioned reasons clearly indicate the contrary, and withdrawal of the 35 U.S.C. § 102 rejections based on Rosenberg ('861) and Shahoian is respectfully urged.

Rejection(s) Under 35 U.S.C. § 103 (a)

Claims 67-85 and 89-109 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rodomista et al. (U.S. pat. no. 6,985,133) in view of Rosenberg et al. (U.S. pat. no. 5,701,140).

Rodomista also fails to disclose a flexure and does not have a flex joint in the manner described in the instant application, and as understood to mean by the common and accustomed usage of the term. Elements 20, 22 and 34 of Rodomista do not exhibit the type of bending expected of a flexure or flex joint as described and claimed in the instant application, and Rosenberg ('140) does not remedy this shortcoming. It will be recalled that according to the Manual of Patent Examining Procedure (M.P.E.P.),

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.³

² Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

In this case, the rejection based on the combination of the Rodomista and Rosenberg ('140) fails to rise to the level of a *prima facie* case of obviousness, at least because of the third condition— Rodomista and Rosenberg ('140), when combined, do not teach or suggest all the claim limitations. Accordingly, it is respectfully urged that the obviousness rejection of claims 67-85 and 89-109 based on the combination of Rodomista and Rosenberg ('140) is improper and should be withdrawn.

Conclusion

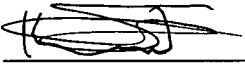
In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at the number below.

Please charge any additional required fees, including those necessary to obtain extensions of time to render timely the filing of the instant Amendment and/or Reply to Office Action, or credit any overpayment not otherwise credited, to our deposit account no. 50-1698.

Respectfully submitted,
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³ M.P.E.P § 2143.